UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/550,195	10/05/2005	Osamu Watanabe	112857-490	7320

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EXAMINER
INGVOLDSTAD, BENNETT

ART UNIT	PAPER NUMBER
2623	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)
	10/550,195	WATANABE ET AL.
	Examiner	Art Unit
	BENNETT INGVOLDSTAD	2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *02 November 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *22-30* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *22-30* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All b)☐ Some * c)☐ None of:

        1.☒ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *9/.21/2005*.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Drawings

1.　　The subject matter of this application admits of illustration by a drawing to

facilitate understanding of the invention. The Formal drawings (Item 10 – Formal

Drawings (18 sheets)) referenced in applicant's transmittal of the application (15

September 2005) do not appear in the application file. Applicant is required to furnish a

drawing under 37 CFR 1.81(c). No new matter may be introduced in the required

drawing. Each drawing sheet submitted after the filing date of an application must be

labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37

CFR 1.121(d).

Claim Rejections - 35 USC § 101

2.　　35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of
> matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the
> conditions and requirements of this title.

3.　　Claim 30 is rejected under 35 U.S.C. 101 because the claimed invention is

directed to non-statutory subject matter.

　　Claim 30: A "computer program" is non-statutory.

　　The examiner suggests amending the claim to be directed to a --computer

readable medium encoded with a computer program--.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

5.   Claims 22-30 rejected under 35 U.S.C. 103(a) as being unpatentable over

Sciammarella (US 2002/0033848).

Claim 22: Sciammarella discloses a display processing apparatus for performing

a process for displaying content information that is classified into genres

(displaying information about data files in audio or image genres [Abstract]), the

display processing apparatus comprising:

- content display data generating means for performing a process for

  configuring content cards recording content information according to the

  number of content items (thumbnail cards recording file name, size, date

  information for each file [Figs 1-4]), displaying a card group including a

  plurality of content cards corresponding to the number of content items as

  a card group that indicates only the presence of content with the content

  information being hidden (displaying thumbnails representing the number

  of files, the content information 26 visible for only the selected thumbnail

  25' [Fig 4]), and

- displaying a content item selected by a user-operable selection indicator in a portion adjacent to the card group with the content information being displayed (the selected thumbnail 25' with content information 26 [Fig 4]); and

- wherein the content information is continuously displayed according to a user selection operation (focus outline continuously displays the selected thumbnail [0050] along with content information [Fig 4]).

In a separate embodiment, Sciammarella further discloses:

- display data generating means for performing a process for displaying genres corresponding displayed content information and displaying the genre of the selected content information as being displayed (genre bar along bottom edge of the screen [Fig 31], "Images" near the top right corner to indicate the selected genre [Fig 31]).

It would have been obvious to have combined the display embodiments for the purpose of allowing the user to more easily select the genre of content for display and to see the currently displayed genre while using the helix display method [Fig 4].

Claim 23, depending on claim 22: Sciammarella further discloses wherein the content display data generating means is configured to perform a process for determining the manner in which each of the content cards is displayed depending on the relative position of the selection indicator in the card group (the

thumbnails are scaled based on their placement within the sequence of

thumbnails in relation to the selected thumbnail [Fig 4] [0057]).

Claim 24, depending on claim 22: Sciammarella further discloses wherein the

content display data generating means is configured to determine the manner in

which each of the content cards is displayed depending on the relative position of

the selection indicator in the card group (the thumbnails are overlaid based on

their placement within the sequence of thumbnails in relation to the selected

thumbnail [Fig 2] [0055]), and

is configured to perform a display process in which a content card at a

position close to the selection indicator is set to an angle at which the content

information is displayed and a content card at a position far from the selection

indicator is set to an angle at which the content information is hidden (filename

content information 31 is displayed for thumbnails 23 close to the selected

thumbnail 25 but hidden for those far away, i.e. off the edge of the screen [Fig

2]).

Claim 25, depending on claim 22: Sciammarella further discloses wherein the

content display data generating means is configured to perform a process for

moving the content cards along a parametric curve (along a helix [Fig 4] [0059])

and displaying a content item selected by the selection indicator at a position on

the parametric curve apart from the card group with the content information being

displayed (displaying the selected image content item with the content

information [Fig 19] [0088]).

Claim 26: Sciammarella discloses a display processing method for performing a

process for displaying content information that is classified into genres

(displaying information about data files in audio or image genres [Abstract]), the

display processing method comprising:

- configuring content cards recording content information according to the

  number of content items (thumbnail cards recording file name, size, date

  information for each file [Figs 1-4]) and displaying a card group including a

  plurality of content cards corresponding to the number of content items as

  a card group that indicates only the presence of content with the content

  information being hidden (displaying thumbnails representing the number

  of files, the content information 26 visible for only the selected thumbnail

  25' [Fig 4]);

- displaying a content item selected by a user-operable selection indicator in

  a portion adjacent to the card group with the content information being

  displayed (the selected thumbnail 25' with content information 26 [Fig 4]);

  and

- wherein the content information is continuously displayed according to a

  user selection operation (focus outline continuously displays the selected

  thumbnail [0050] along with content information [Fig 4]).

In a separate embodiment, Sciammarella further discloses:

- displaying genres corresponding to displayed content information and

    displaying the genre of the selected content information as being

    displayed (genre bar along bottom edge of the screen [Fig 31], "Images"

    near the top right corner to indicate the selected genre [Fig 31]).

It would have been obvious to have combined the display embodiments for the

purpose of allowing the user to more easily select the genre of content for display

and to see the currently displayed genre while using the helix display method [Fig

4].

Claim 27, depending on claim 26: Sciammarella further discloses performing a

process for determining the manner in which each of the content cards is

displayed depending on the relative position of the selection indicator in the card

group (the thumbnails are scaled based on their placement within the sequence

of thumbnails in relation to the selected thumbnail [Fig 4] [0057]).

Claim 28, depending on claim 26: Sciammarella further discloses wherein the

display processing method comprises determining a manner in which each of the

content cards is displayed depending on the relative position of the selection

indicator in the card group (the thumbnails are overlaid based on their placement

within the sequence of thumbnails in relation to the selected thumbnail [Fig 2]

[0055]), and performs a display process in which a content card at a position

close to the selection indicator is set to an angle at which the content information

is displayed and a content card at a position far from the selection indicator is set

to an angle at which the content information is hidden (filename content

information 31 is displayed for thumbnails 23 close to the selected thumbnail 25

but hidden for those far away, i.e. off the edge of the screen [Fig 2]).

Claim 29, depending on claim 26: Sciammarella further discloses wherein the

display processing method performs a process for moving the content cards

along a parametric curve (along a helix [Fig 4] [0059]) and displaying a content

item selected by the selection indicator at a position on the parametric curve

apart from the card group with the content information being displayed

(displaying the selected image content item with the content information [Fig 19]

[0088]).

Claim 30: Sciammarella discloses a computer program for performing a process

for displaying content information that is classified into genres (displaying

information about data files in audio or image genres [Abstract]), the computer

program comprising:

- a step of configuring content cards recording content information

  according to the number of content items (thumbnail cards recording file

  name, size, date information for each file [Figs 1-4]) and displaying a card

  group including a plurality of content cards corresponding to the number of

content items as a card group that indicates only the presence of content

with the content information being hidden (displaying thumbnails

representing the number of files, the content information 26 visible for only

the selected thumbnail 25' [Fig 4]);

- a step of displaying a content item selected by a user- operable selection

  indicator in a portion adjacent to the card group with the content

  information being displayed (the selected thumbnail 25' with content

  information 26 [Fig 4]); and

- wherein the content information is continuously displayed according to a

  user selection operation (focus outline continuously displays the selected

  thumbnail [0050] along with content information [Fig 4])

In a separate embodiment, Sciammarella further discloses:

- a step of displaying genres corresponding to displayed content information

  and displaying the genre of the selected content information as being

  displayed (genre bar along bottom edge of the screen [Fig 31], "Images"

  near the top right corner to indicate the selected genre [Fig 31]).

It would have been obvious to have combined the display embodiments for the

purpose of allowing the user to more easily select the genre of content for display

and to see the currently displayed genre while using the helix display method [Fig

4].

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BENNETT INGVOLDSTAD whose telephone number is (571)270-3431. The examiner can normally be reached on M-Th 8-6:30 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Scott Beliveau can be reached on (571) 272-7343. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

BI

/Scott Beliveau/
Supervisory Patent Examiner, Art Unit 2623